REMARKS

This response addresses the Office Action mailed April 17, 2007. In the Office Action, Applicant's Claims 1-12 and 14-21 were rejected as anticipated by U.S. Pat. No. 5,902,350 ("Tamai"). As explained below, Applicant's claims are not anticipated by Tamai and the rejection should be withdrawn. Reconsideration of the present application is respectfully requested.

I.   **Applicant's Claims 1-12 and 14-21 are not anticipated by Tamai.**

Tamai relates to a way to provide route guidance with a navigation system. According to Tamai, the maneuvering instructions provided by a navigation system are sometimes confusing due to the way the system's maneuvering program interprets an intersection of roads as represented by data contained in the database of map information used by the navigation system. Tamai provides several examples showing types of actual road intersections where confusing instructions are sometimes provided (Tamai: FIGS. 1a, 2a, 3a, 4a, 11a, 13a, and 13c). Tamai also shows how these actual road intersections are represented using the data contained in the database 306 of map information used by the navigation system (Tamai: FIGS. 1b, 2b, 3b, 4b, 11b, 13b, and 13d). Tamai discloses that the navigation system includes routines that analyze certain aspects and properties of the road segments that make up the intersections as they are represented using the data contained in the database of map information to modify how route guidance is provided (Tamai: FIG. 6-8, 10 and 14).

In concluding that Tamai anticipated Applicant's claims, the Office Action misinterpreted Tamai. The Office Action relied on figures from Tamai (such as FIGS. 1a, 2a, 3a, etc.) that showed actual road intersection when it concluded that Tamai showed certain limitations of Applicant's claims. This is incorrect. Tamai is explicit that what is contained in the database 306 used by the navigation system is shown in FIGS. 1b, 2b, 3b, 4b, 11b, 13b, and 13d, and not in FIGS. 1a, 2a, 3a, 4a, 11a, 13a, and 13c.

Focusing on what Tamai discloses about how roads are represented in the database used by the navigation system, Tamai states that some lanes are represented as "connectors" (e.g., Tamai: column 2, lines 12-13 and FIG. 1b). Tamai goes on to state the following:

In this case, the conventional maneuver processor operating in the manner described above generates a double maneuver indication for a right turn through the intersection as shown in the figure. That is, the maneuver processor generates a "slight right" indication 18, or its equivalent, for the maneuver from road 12' onto connector 16', followed immediately by a second "slight right" indication 20, or its equivalent, for the maneuver from connector 16' onto road 14'. [Tamai: column 2, lines 13-21.]

The above passage from Tamai explains that the maneuver processor treats the "connector 16'" as if it were like any other road segment. That is why it generates a confusing double maneuver indication. Thus, even though the Tamai database may include data that represent road lanes, the *way* that the Tamai database represents a road lane is as a "connector" road segment and not as a lane. Because the Tamai database does not have information that indicates whether a "connector" road segment is merely a lane, it follows that the Tamai maneuver processor cannot determine when a "connector" road segment is actually just a "lane" and therefore generates a confusing double maneuver indication.

Focusing next on how Tamai overcomes this problem, Tamai teaches several routines that analyze the properties of road segment data that represent the roads that meet at an intersection (Tamai: FIGS. 6-8 and column 6, line 29 to column 8, line 28). These routines look for short road segments having "connector" attributes, one-way attributes, or other properties to identify when the properties of a road segment indicate that it should be treated as just a lane (Tamai: column 6, lines 38-58). It is important to note that the Tamai database does not contain information that indicates whether a road segment is actually a lane. If it did, Tamai would not need the routines in FIGS. 6-8 to analyze the road segment properties to make this determination.

The foregoing analysis shows that Tamai fails to disclose a *"road database"* in which are stored *"data representations of physical road lanes"*, as recited in Applicant's claims. Instead, Tamai stores data that represent road segments, some of which may be "connectors" and some of which may possess the properties of physical road lanes. However, the Tamai database does not disclose that road lanes as such are represented in the database used by the navigation system and therefore Tamai relies on routines (Tamai: FIGS. 6-8) to determine when the properties of road segments indicate that they might actually be merely lanes.

There is another compelling reason why Tamai fails to anticipate Applicant's claims. Tamai fails to disclose another limitation of Applicant's claims, specifically *"data indicating what linearly extending physical features are adjacent to and extend along the represented physical road lane on a right side and a left side thereof"*, as recited in Applicant's Claim 1. Assuming *arguendo* that some of the road segment data in the Tamai database represents physical road lanes (even if they are not identified as such), Tamai fails to disclose that the database 306 contains information that indicates what is adjacent to and extends along a represented physical road segment on a right and left side thereof. The contents of the Tamai database include various characteristics of roads and places on a map (Tamai: column 5, lines 42-55 and column 7, lines 44-47). However, Tamai fails to disclose that the database contains data that indicates *"what linearly extending physical features are adjacent to and extend along the represented physical road lane on a right side and a left side thereof"*, as recited in Applicant's Claim 1. Therefore, Applicant's independent Claim 1 and dependent Claims 2-16 are not anticipated by Tamai.

Applicant's Claim 17 is an independent claim that recites *inter alia* the step of *"associating with at least some data representations of physical road lanes data indicating a sublane of the represented physical road lane."* As explained above, the Tamai database 306 does not include data that represent lanes per se. Instead, Tamai uses routines that examine the properties of road segments in order to determine whether a road segment represented in the database might actually be a lane. It follows therefore that Tamai has no disclosure whatsoever about "sublanes." Accordingly, Applicant's independent Claim 17 and dependent Claims 18-21 are not anticipated by Tamai.

II.   Rejoinder of Claim 13

A prior restriction requirement included a *species* restriction between Claim 13 (species Ia) and Claim 14 (species Ib) to which Applicant responded with a provisional election of Claim 14 (species Ib). Non-elected Claim 13 depends from Claim 12 which is allowable for the reasons explained below. Accordingly, with respect to the *species* restriction, Applicant submits that non-elected Claim 13 is eligible for rejoinder because it depends from an allowable elected claim, Claim 12. *See*, MPEP 821.04.

In order to be eligible for rejoinder, a claim to a nonelected invention must depend from or otherwise require all the limitations of an allowable claim. (MPEP 821.04)

Based on the rejoinder provisions in the MPEP, the *species* restriction of Applicant's Claim 13 should be withdrawn and Claim 13 should be allowed.
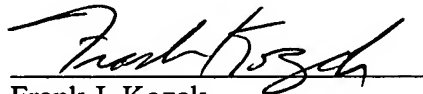
III. Extension of Time

Accompanying this response is a petition for extension of time and authorization to charge Applicant's deposit account for the associated fee.

IV. Conclusion

With this response, Applicant has addressed all the issues in the Office Action mailed April 17, 2007. Applicant submits that the present application has been placed in condition for allowance. If any issues remain, the Examiner is invited to call the undersigned at the telephone number below.

Respectfully submitted,

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